

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 8, 1980
3:00 P.M.

Council Chambers
301 West Second Street

Mayor McClellan called the meeting to order:

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino

Absent: None

INVOCATION

The Invocation was given by Father Richard E. McCabe, St. Theresa's Church.

PUBLIC TRANSPORTATION WEEK

Mayor McClellan read a proclamation designating the week of May 11-17, 1980 as Public Transportation Week. SAM A. WILSON, Vice-President of Transportation, Austin Chamber of Commerce, thanked the Mayor for the proclamation and invited the Mayor and all Councilmembers to the ribbon-cutting ceremony for the opening of the Congress Avenue Bridge on May 18, 1980 at 1:15 p.m. MR. ROBERT A. BROWN, State Department of Highways, also thanked the Mayor for the proclamation.

SALVATION ARMY WEEK

Councilmember Snell read a proclamation which sets aside the week of May 12-18, 1980 as Salvation Army Week and observes the 100th birthday of the Salvation Army. MAJOR ROBERT HALL of the Salvation Army in Austin thanked the Mayor and Council for the proclamation and told them the Salvation Army has been in Austin for 95 years.

CITIZEN PARTICIPATION WEEK

David Reed, Superintendent of Planning and Design, Parks and Recreation, and Leonard Ehrler, Director of Parks and Recreation, were in the Council Chamber to receive the Proclamation read by Councilmember Goodman designating the week of May 5, 1980 as Citizen Participation Week. They thanked the Mayor and Councilmembers for the proclamation.

RECREATION AND PARKS MONTH

Mr. Ehrler and Dr. Reed thanked the Mayor and Councilmembers for the proclamation, read by Councilmember Cooke, which proclaimed the month of June, 1980 as Recreation and Parks Month. Mr. Ehrler said the President is proclaiming the month of June as Recreation and Parks Month throughout the United States.

FOOT HEALTH WEEK

Foot Health Week will be observed May 9-15, 1980. Councilmember Himmelblau read the proclamation and presented it to DRS. PERRY H. PETERSON, MICHAEL GOLF, and RONALD L. WOKASIEN, who are podiatrists. Dr. Peterson expressed his thanks for the proclamation on behalf of all podiatrists.

POLICE WEEK

Chief of Police Dyson was in the Council Chamber to receive the proclamation which proclaims the week of May 11-17, 1980 as Police Week in Austin. He thanked the Mayor and Council for the proclamation.

FIESTA WEEK

Fiesta Week will be held May 17 and 18 at Laguna Gloria. MRS. JERRY HERING and MRS. SCOTT CHAPMAN were in the Council Chamber to receive a proclamation denoting the week of May 12-18 as Fiesta Week, and expressed their thanks.

VIETNAM MEMORIAL

COLONEL LAWSON McGRUDER and GENERAL JAY MATHEWS were in the Council Chamber to invite the Mayor, Councilmembers and the public to attend the dedication of the site of the Vietnam Memorial in Waterloo Park on Memorial Day, May 26, 1980 at 11:00 A.M. The memorial has been designed and selected and the funds have been raised to begin the erection of the memorial.

PRESERVATION WEEK

MRS. EUGENIA SCHOCH, MS. INA RAY SMITH, and DR. SUZANNE SAULNIERS, members of the Historic Landmark Commission, were in the Council Chamber to receive a proclamation from the Mayor naming May 11-17, 1980 as Preservation Week. They thanked the Mayor for the proclamation.

CERTIFICATES OF COMMENDATION
FOR
HISTORIC PRESERVATION

Mayor McClellan presented Certificates of Commendation for Historic Preservation to the following people:

Jerry Bell for the Rogers-Lyons House

Sam Carruthers for the Wolf House

Michael Kuhn for the Bosche Building

Sinclair Black and Wayne Gronquist for the Mather-Kirkland House

Kenneth Koock for Green Pastures

Dr. John King, Huston-Tillotson College, for Evans Hall

Mrs. Ada Simond for Southgate-Lewis House

Thom Cowley for Lan Ventanas

Joe Barrentine for the Waterloo Compound

Mrs. Jim Smith for Inshallah

Benjamin Anicra for the Newton House

BOARDS AND COMMISSIONS

Mayor McClellan announced the following Board and Commission appointments are due to be made May 15, 1980:

Environmental Board - 1
Building Standards Commission - 1
Community Development Commission - 6
Dental Health Advisory Committee - 9
On-Going of Goals Assembly Committee - 1
Elisabet Ney Museum Board - 4
Medical Assistance Advisory Board - 1
Commission on Status of Women - 2
Austin Redevelopment Authority - 2
Private Industrial Council - 6
Board of Equalization - 3
Hospital Board - 1
Electric Utility Commission - 1

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes of the Special Meeting of April 2, 1980. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmember Trevino
Noes: None
Not in Council Chamber when roll was called: Councilmember Snell

LAND AND EASEMENT ACQUISITIONS

Councilmember Himmelblau moved that the Council adopt a resolution to acquire certain land for the Williamson Creek Greenbelt, CAPITAL IMPROVEMENTS PROGRAM No. 75/86-13:

24.70 acres of land out of the Santiago Del Valle Grant. (Robert L. Ogden)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to acquire certain land for the Rutland Drive Street and Drainage Improvements Project, CAPITAL IMPROVEMENTS PROJECT 73/62-21:

4,871 square feet of land out of the George W. Davis Survey #15
(Kelly E. McAdams, et al)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to acquire certain land and easements for Spicewood Springs Road Project, CAPITAL IMPROVEMENTS PROGRAM No. 73/62-23:

Six tracts of land out of that certain 22.93 acre tract of land
out of the James Mitchell Survey No. 17. (Theron S. Bradford,
Trustee)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

LEASE AMENDMENT

Councilmember Himmelblau moved that the Council adopt a resolution to authorize an amendment to the lease with Harry M. Whittington for additional space in the Travis Building. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

EMINENT DOMAIN PROCEEDINGS

Councilmember Himmelblau moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for the construction of the St. Johns Public Health Center:

Lots 11 and 12, Block 18, St. John's College Addition, locally
known as 7400-7402 Carver Avenue. (Jim Chipman, Owner)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for the construction of the St. Johns Public Health Center:

Lots 1 and 2, Block 18, St. John's College Addition, locally known as 7401 and 7403 Bennett Avenue. (Doris Dees Bolton, owner)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

RELEASE OF EASEMENTS

Councilmember Himmelblau moved that the Council adopt a resolution to authorize release of the following easements:

Public Utility Easements in Buckingham Estates, Phase III,
Section II. (Requested by the Electric Department, City of
Austin)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to authorize release of the following easement:

A ten foot (10') Public Utility Easement centered on the property
line between Lots 26 and 27, Block 3, Chernosky Subdivision No. 16,
916-1000 Valdez Street (Requested by Lewis Conway for the Brown
Chapel A.M.E. Church)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to authorize release of the following easement:

A portion of a seven and one half foot (7.5') Public Utility
Easement in the rear of Lots 8 and 9, No Mor Acres Subdivision,
1505 & 1507 No Mor Cove. (Requested by Ken Burge, owner)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to authorize release of the following easement:

A 15' Public Utility Easement centered on Lots 4 and 5, Block B, Beecave Woods, Section II, 1321 Wilderness Drive. (Requested by Jim A. Brown, owner)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

PAYMENT AUTHORIZED

Councilmember Himmelblau moved that the Council adopt a resolution to authorize payment to the following:

LAND EQUITIES, INCORPORATED	- The cost difference for 12"/8" water main installed in La Costa Phase Three. C.I.P. No. 75/22-07
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

CONTRACTS APPROVED

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

GIRARD MACHINERY & SUPPLY COMPANY 1017 Main Street San Antonio, Texas	- Pneumatic Roller, Vehicle and Equipment Services Department Item 1, 1 ea. - \$55,259.00
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

PEERLESS EQUIPMENT CORPORATION
11091 Denton Drive
Dallas, Texas

- Hydraulic Power Sources, Vehicle
and Equipment Services Department
Item 1, 2 ea. @ \$4,550
Total \$9,100.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

DALMARK, INC.
4425 Brandt Lane
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Site Work, Foundations,
Manholes and Underground Ductline at
Steck Avenue Substation - \$88,187.00
C.I.P. No. 80/16-02

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

SIEMANS-ALLIS, INC
10333 Northwest Freeway
Houston, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Power Circuit Breakers, Electric
Utility Department
Items 1 & 2 - \$8,190.00
C.I.P. No. 79/12-01

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contracts:

Bid Award:

- CAPITAL IMPROVEMENTS PROGRAM -
Surge Arrestors to be installed at
Hi Cross, Steck, Commons Ford and
Oak Hill Substations, Electric
Utility Department.
C.I.P. Nos. 77/16-01, 79/16-03,
79/16-04, 80/16-02 and 79/16-01

BESCO, INC.
1616 West 5th Street
Austin, Texas

- Item 1, 6 ea. - \$13,170.00

GENERAL ELECTRIC SUPPLY COMPANY
7521 North Lamar Boulevard
Austin, Texas

- Item 2, 12 ea. - \$14,928.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

JONES ORTHOPEDIC
7138 Oaklawn
San Antonio, Texas

- Table, Orthopedic Extension for
Brackenridge Hospital -
\$6,042.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contracts:

Bid Award:

- Fire Extinguisher and Related Parts
and Servicing, Central Stores
Twelve Month Supply Agreement

WILSON FIRE EXTINGUISHER COMPANY
809 Capitol Court
Austin, Texas

- Item 1.0 - \$32,456.40

FOLEY FIRE EXTINGUISHER COMPANY
Cedar Park
Cedar Park, Texas

- Item 2.0 - \$19,758.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

SIGNAL ENGINEERING COMPANY
2032 Dunlavy
Houston, Texas

- Traffic Signal Controllers,
Timers, and Conflict Monitors,
Urban Transportation Department
Item 1-3 - \$136,605.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

MARSHBURN TRUCKING COMPANY, INC.
Highway 83 South
Childress, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Loading, transportation and unloading
of autotransformers for Burleson
Substation and Lytton Springs
Substation - \$49,827.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

ARCHITECT SELECTED - HEALTH ADMINISTRATION BUILDING

Councilmember Himmelblau moved that the Council approve the selection of Debra James & Associates for architectural services in connection with renovation of Health Administration Building and authorization of a contract for such services. CAPITAL IMPROVEMENTS PROGRAM No. 76/91-02. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

POLICE ADMINISTRATIVE TRAINING

Councilmember Himmelblau moved that the Council adopt a resolution to authorize submission of a grant application entitled "Police Administrative Training" to the Texas Office of Traffic Safety, State Department of Highways and Public Transportation for the program period September 1, 1980 through June 15, 1981. (Local in-kind match \$24,409.06) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

PARKS AND RECREATION DEPARTMENT MASTER PLAN

Councilmember Himmelblau moved that the Council adopt a resolution to authorize submission of and application in the amount of \$46,210 for a 50/50 matching grant from the Heritage, Conservation and Recreation Service under the Urban Park and Recreation Recovery Action Program to complete the Parks and Recreation Department Master Plan. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

ROAD MAINTENANCE AGREEMENT

Councilmember Himmelblau moved that the Council adopt a resolution to authorize a Road Maintenance Agreement between Travis County and the City of Austin. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

PUBLIC HEARING RESET

Councilmember Himmelblau moved that the Council reset the public hearing on policy guidelines for the City of Austin Housing Program administered by the Austin Redevelopment Authority (ARA) and the public hearing on appointing the Board of Directors of the ARA as responsible for comprehensive development and coordination of assisted housing programs in Austin for the evening of May 21, 1980 at 6:00 p.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

LICENSE AGREEMENT

Councilmember Himmelblau moved that the Council adopt a resolution to authorize a License Agreement for the use of a portion of the sidewalk area in the 800 block of Lavaca for construction of a stairway to the second floor of the Travis Building, requested by Harry M. Whittington. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

AGENDA ITEMS POSTPONED

Councilmember Himmelblau moved that the Council postpone until May 22, 1980 consideration of entering into an Agreement with the State Department of Highways and Public Transportation for the construction of Pleasant Valley from East 7th to Webberville and the installation of traffic signals at the intersection of Webberville Road and Pleasant Valley Road. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to authorize second lien securing the revolving fund loan to Mr. and Mrs. Sam Carruthers, 1602 East 1st Street, be reduced to a third lien position. (Austin Redevelopment Authority) The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau
Noes: None

Later, Councilmember Himmelblau said she had some questions about this.

Motion to Reconsider

Councilmember Cooke moved that the Council reconsider passage of the above resolution and bring it back on the May 15, 1980 Agenda. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Not in Council Chamber when roll was called: Councilmember Goodman

OPERATING BUDGET AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$71,000.00 FROM THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE FOR THE PURPOSES OF FUNDING THE TENTH YEAR OF THE FAMILY PLANNING PROGRAM; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

FIVE-YEAR APPROACH MAIN CONTRACT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN APPROACH MAIN CONTRACT WITH NPC REALTY COMPANY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

ENERGY CONSERVATION CODE

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING CHAPTER 36 OF THE CODE OF THE CITY OF AUSTIN, 1967, AS AMENDED, BY ADDING THERETO SECTIONS 36-5301 THRU SECTIONS 36-5332 REGULATING THE DESIGN AND CONSTRUCTION OF THE EXTERIOR ENVELOPES, SELECTION OF HEATING, VENTILATION AND AIR CONDITIONING, SERVICE WATER HEATING, ELECTRIC DISTRIBUTION AND ILLUMINATING SYSTEMS AND EQUIPMENT REQUIRED FOR THE PURPOSE OF EFFECTIVE CONSERVATION OF ENERGY IN ANY BUILDING OR STRUCTURE ERECTED WITHIN THE CITY OF AUSTIN AREA OF RESPONSIBILITY INCLUDING THOSE AREAS SERVICED BY CITY OF AUSTIN OWNED UTILITY SYSTEMS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE (3) SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the second time, and Mayor Pro Tem Mullen moved that the Council waive the requirement for third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE AMENDMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 1789.9 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 11047-11143 JOLLYVILLE ROAD, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Balcones Woods Joint Venture, C14-80-013)

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Trevino,
Mayor McClellan
Noes: None
Abstain: Mayor Pro Tem Mullen, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 6.48 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3105 I.H. 35, FROM "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (The Knoll Apartments Ltd., C14-80-014)

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Trevino,
Mayor McClellan

Noes: None

Abstain: Mayor Pro Tem Mullen, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 1.869 ACRE TRACT OF LAND, LOCALLY KNOWN AS 10901 RESEARCH BOULEVARD, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (University of Texas, C14-80-034)

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Trevino,
Mayor McClellan

Noes: None

Abstain: Mayor Pro Tem Mullen, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 33, 34, 35, AND 36, QUAIL CREEK PHASE IV, SECTION III, LOCALLY KNOWN AS 855-861 KEN STREET, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (NPC REALTY COMPANY, C14-80-045)

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Trevino, Mayor McClellan

Noes: None

Abstain: Mayor Pro Tem Mullen, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

ALL OF WEST BRANCH SUBDIVISION, LOCALLY KNOWN AS 3609-3917 MCCARTY LAND, 3700-4012 AND 3701-4019 KANDY DRIVE, 3700-3910 AND 3701-3909 TAMIL STREET, 7300-7404 AND 7301-7407 SAFFRON STREET, 7400-7406 AND 7401-7407 CEYLON COURT, 4000-4016 AND 4001-4011 JAFFNA COVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT AND INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin, C14-80-007)

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Trevino, Mayor McClellan

Noes: None

Abstain: Mayor Pro Tem Mullen, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: 165.25 ACRES OF LAND, MORE OR LESS; AND,

TRACT 2: A 152.77 ACRE TRACT OF LAND; AND,

TRACT 3: 76.38 ACRES OF LAND, MORE OR LESS;

ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS 7400-7702 AND 7401-7703 CREEKBLUFF DRIVE, PORTIONS OF LOOP 360 AND LAKEWOOD DRIVE, ALSO ALL OF THE FOLLOWING STREETS: COURTYARD DRIVE, BACK COURT, COURTYARD COVE, KARANKAWA COVE, SCOUT ISLAND CIRCLE (SOUTH), SAM HOUSTON CIRCLE, LEMONWOOD DRIVE, BLUERIDGE COURT, DRIFTWOOD DRIVE, SPRUCEWOOD DRIVE, BROWNWOOD COURT, MARBLEWOOD DRIVE, LAKEMOORE DRIVE, LAURELWOOD DRIVE, CROSSMEADOW DRIVE, AND LEDGE DRIVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin, C14-79-282)

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Trevino, Mayor McClellan

Noes: None

Abstain: Mayor Pro Tem Mullen, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

SANTIAGO DEL VALLE GRANT, OF WHICH IS KNOWN AS BLUE BIRD HILL, SECTION ONE, AND A 3.85 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1804 MARIPOSA, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Mr. Walt Angerman, C14-78-225)

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 16.777 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4130-4200 SOUTH I.H. 35, BOUNDED TO THE NORTH BY BEN WHITE BOULEVARD AND TO THE SOUTH BY EAST ST. ELMO ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (J & T Investment Company, C14-70-001 Area Study)

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

OPERATING BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY TRANSFERRING \$60,000 FROM THE GENERAL FUND BALANCE TO THE BUDGET OF THE LAW DEPARTMENT FOR THE PURPOSE OF RETAINING OUTSIDE LEGAL COUNSEL IN LITIGATION; AUTHORIZING A CONTRACT WITH THE LAW FIRM OF BROWN, MARONEY, ROSE, BAKER & BARBER; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

SPECIAL TRANSIT SERVICES PROGRAM

Dr. Jim Benson, Acting Director, Urban Transportation, presented the City Manager report on Level of Service Options for Personalized Taxicab Services Under the Special Transit Services Program.

In conjunction with this, Council had before them the following resolution:

YELLOW-CHECKER CAB COMPANY OF
AUSTIN, INC.
509 East 5th Street
Austin, Texas

- Personalized Taxicab Service,
Urban Transportation Department
Twelve (12) Month Service Agreement
- \$262,112.50/year

Dr. Benson reported as follows:

"Under the proposed contract with the Yellow/Checker Cab of Austin, Inc., the price per one-way trip for carrying Special Transit Services passengers will be \$6.25. This represents a 25% increase over the previous contract rate of \$5.00 per one-way trip. While the \$6.25 bid price per trip represents a significant increase over the previous contract rate, it should be noted that bid price is approximately \$0.62 per trip less than the estimated average fare would be using current metered rates (i.e., a 9% discount relative to metered rates).

"The impact of the new contract fare on the Special Transit Services required an evaluation of the level of service to be provided through the remainder of Fiscal Year 1979-80. Basically two options exist:

1. Modify the present 1979-80 Special Transit Services budget so that the current level of service may continue to be provided. This option would require an increase of \$23,000 for the remainder of Fiscal Year 1979-80.
2. Reduce the level of service comparable to that of Fiscal Year 1978-79 to remain within the approved 1979-80 budget. This option would decrease the number of Special Transit Services trips by 3,700 during the remaining five months of Fiscal Year 1979-80.

"If the service reduction was initiated immediately, this would amount to an approximate 20% reduction in level of service for the remainder of Fiscal Year 1979-80. If initiated June 1st, this would amount to an approximate 25% reduction in level of service for the four month period."

Dr. Benson asked Council's guidance as to which option they choose.

Councilmember Himmelblau said she has not yet received a report from Urban Transportation concerning use of Special Transit service for state institutions. Dr. Benson told her, "We're preparing that reply for you and should have it ready by Monday." Councilmember Himmelblau said she thinks it ties into the contract and also understands the new rates have gone into effect. Dr. Benson answered, "Under extension of the contract to provide us time to turn to Council, Yellow/Checker Cab would not extend it beyond May 1 without the rate going into effect but since this amounted to less than \$5,000 increased cost,

we felt it was consistent with the procedure so that we would not be terribly untimely in getting to Council and providing you with the information you need."

Mayor McClellan said she does not think we can afford to reduce the level of service. Councilmember Himmelblau said, "I don't think we can either, but I don't know if we're bound to pick up from the state institutions and this is something Legal staff was going to look into. Also, we had a very fine contract with MHMR that was terminated about two years ago. What I'm trying to do is re-establish that contract. Frankly, we're being had. MHMR has a responsibility to take their people that they are responsible for for medical treatment and when we put the Special Transit into effect they cancelled that contract with the City of Austin and that was for \$80,000 plus dollars and we're eating it right now. I would just like to see if there is a legal way to take some of this burden off of the City."

Mayor McClellan said she would encourage that but at the same time not reducing the level of service for citizens of Austin. The Mayor continued, "Do you, Dr. Benson, have any idea how many people need this Special Transit Service for jobs...getting back and forth from work, that we're not able to handle?" Dr. Benson said, "We've just presented a report last night to the Urban Transportation Commission on that on our refusal rates. As I recall, we're averaging on week days approximately 14 refusals but a very small percentage of those is work related."

Mayor McClellan said she would like a particular report and asked Dr. Benson to work with MIGHT (Mobility Impaired Grappling Hurdles Together) on that. She said she does not know how one can prioritize people's special needs and what they are doing, but feels the job relation is very important.

Councilmember Himmelblau said she felt the State should pick up those which she feels they are responsible for then we could take care of citizens we particularly put this operation into effect for. Mayor McClellan pointed out the necessity to be selective regarding which service is used for what type of handicap and asked that this be looked into. Mayor Pro Tem Mullen said he strongly supports what Councilmember Himmelblau is saying. "The City of Austin is in a unique position where the funds we get here for handicapped, for mentally retarded, for State Hospital, etc., are about 40% of the people that are released here. People are released in this community from the State and then they don't help pick up the tab. I don't think that is right for Austinites. It's just not a right situation. We should get more of the State money to help us support the folks that come here from Houston and Amarillo and all over the state to be institutionalized and then released here." Councilmember Himmelblau said we are picking up the ones at the State School and State Hospital at 50 cents a trip and does not think it should be the responsibility of the City."

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

YELLOW/CHECKER CAB COMPANY OF AUSTIN, INC.	- Personalized Taxicab Service,
509 East 5th Street	Urban Transportation Department
Austin, Texas	Twelve (12) Month Service
	Agreement - \$262,112.50/year

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman
Noes: None

Councilmember Cooke asked, "Are there other places in the state where the State, because that particular City may not have a Special Transit Service, is picking up the tab and they've dropped it in this town because...I'd like to have some analysis on that if you can find out." Dr. Benson said they have been conducting a survey and are getting the information together for the report because that is one of the things they felt was a concern to find out what the State is doing for other cities in this area and which ones do not receive funds as well as which ones do. Dr. Benson said the information will be forthcoming to Council. Councilmember Himmelblau pointed out there was also a court case in San Antonio that showed it is the State's responsibility to provide the medical trip.

CITY MANAGER REPORTS POSTPONED

The City Manager Reports on Worker's Compensation and Insurance Program Modifications were pulled from the Agenda.

MEDICAL FACILITIES PROGRAM FOR CITY JAIL

Chief of Police Frank Dyson presented the following City Manager Report on Proposed Medical Facilities Program for City Jail:

"The Jail Operations Supervisor, Capt. Freddie Maxwell, pursuant to your request to explore the feasibility of putting a medical staff on-duty at the City Jail has obtained some preliminary cost figure and staffing proposals for consideration.

"Captain Maxwell advises that in his contacts with Bill Buck, Brackenridge Hospital, it was determined that for any proposal there will be a need for medical supplies at an initial cost of \$7,000. Registered Nurses (RN) have an annual salary of \$15,000. Licensed Vocational Nurses (LVN) have an annual salary of \$11,150. Of course, fringe benefits (15.5%) and indirect costs (27.7%) will have to be added to these salaries.

"Statistical figures on the Jail's Operations as obtained from a 90-day analysis at the end of 1979 reflect over 18% of persons incarcerated had some type of medical problem that could have been handled by a registered Emergency Medical Technician (EMT). The City Jail operation is actually a short term holding facility with an average incarceration of less than 36 hours per inmate. The greatest number of incarcerations occur between 9 p.m. and 2 a.m. The greatest number of releases occur between 9 a.m. and 12 noon. Because of the short period of time inmates are incarcerated, a physician would have limited opportunity to provide adequate service at the City Jail. No cost estimate has been obtained since a contractual agreement would have to be arranged to provide this type of service.

"The space necessary for a medical facility can be arranged at the City Jail through current renovation plans.

"In reviewing the possibility for providing medical facilities, the following proposals were considered."

Chief Dyson discussed the four proposals and said his recommendation would be for Council to adopt a combination of Proposals II and IV, which are as follows:

"PROPOSAL II: The training of twelve jailers to serve as registered Emergency Medical Technicians. This training consists of 8 weeks, 4 hours a day, 3 days a week for a total of 96 hours at a cost of \$125.00 per jailer. This would be a total cost of:

12 Jailers	12 x \$125.00	=	\$1,500
Possible 5% Annual increase in salary for reclassification	12 x \$600.00	=	<u>7,200</u> \$8,700
Medical supplies		=	<u>7,000</u> \$15,700

"PROPOSAL IV: The assignment of an RN to work during the peak period when medication is required to be distributed to the inmates. That period of time has been determined to be between 8 a.m. and 5 p.m. If the nurse needed to consult a physician for any guidance during work hours, consideration could be given to using a Staff Physician at Brackenridge. At the present time this function is being performed by female jailers whose titles are health technicians. The cost of this would be:

1 RN	=	\$ 15,000
Fringe benefits	=	2,325
Indirect costs	=	<u>4,155</u> \$ 21,480
Relief RN	=	5,000
Fringe benefits	=	775
Indirect costs	=	<u>1,385</u> 7,160
Medical supplies	=	<u>7,000</u> \$ 35,640

Chief Dyson explained, "After reviewing the possibilities as outlined in the above proposals, I feel that a combination of Proposals II and IV would best utilize the jail personnel working in the dual capacity of EMT trained technicians-jailers together with an RN between 8 a.m. and 5 p.m. The cost would be:

Cost of Proposal II	=	\$ 8,700
Cost of Proposal IV	=	28,640
Medical Supplies	=	<u>7,000</u> \$44,340

Councilmember Himmelblau stated her concern is the shortage of RN's and asked if LVN's can be used as she does not want to take any RN's out of hospitals. Captain Maxwell explained that the services an LVN can provide are limited and

they prefer RN's. He said an RN is better trained at diagnosis and would be able to determine the medical needs of the inmates. Councilmember Himmelblau asked if, while housing Federal prisoners, if part of their tab could be paid for with Federal funds. Chief Dyson said he does not think so. She then asked what hours an RN would be particularly needed. Chief Dyson told her the hours of 8-5 are the peak time of the day when medications are issued to inmates. He said, "Our people are not trained to the extent that they know that that's the medication contained in the particular container and we feel that an RN can make that determination much more effectively. We will be checking very carefully to make sure we're following the prescribed method of dispensing medication and be sure we're within our legal limits of doing that as well. We feel we have a better step in that regard with the advice and counsel and guidance of an RN rather than a Jail personnel." Councilmember Himmelblau said, "Chief, I would work with Central Texas Medical Foundation (CTMF) and make sure that anything prescribed is prescribed by a physician." (Councilmember Himmelblau had stated earlier that she hated to see the City get into something they may have a problem with. She previously had chaired HSA and does not feel easy about anyone other than a physician giving medication.)

Motion

Councilmember Goodman moved that the Council approve a combination of Proposal II and Proposal IV for the Medical Facilities Program for City Jail. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers
Cooke, Goodman, Himmelblau
Noes: Mayor Pro Tem Mullen

TAX BILL FORMAT

Deputy City Manager Muehlenbeck called Council's attention to the City Manager Report on Tax Bill Format which was postponed from last week's meeting. He referred them to the options designed for them. Councilmember Himmelblau said she liked Option 2 and Mayor McClellan stated she likes Option 1 and Option 2 printing. After some discussion the following motion was made:

Councilmember Himmelblau moved that the Council approve Option 2 for the Tax Bill Format, with the printing in green and black. (School part in green, City part in black). The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Cooke, Goodman, Himmelblau,
Mayor Pro Tem Mullen
Noes: Mayor McClellan

EXECUTIVE SESSION

Mayor McClellan announced that Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed for Executive Session at 4:30 p.m. and resumed its recessed meeting at 4:45 p.m.

MUNICIPAL COURT RELIEF JUDGE

Councilmember Cooke moved that the Council appoint SANDRA M. FITZPATRICK as a Relief Judge of Municipal Court. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Cooke, Goodman, Himmelblau, Snell

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Mullen

AFFIRMATIVE ACTION TASK FORCE

Councilmember Cooke moved that the Council appoint Councilmembers Trevino, Goodman and Mayor Pro Tem Mullen to the Affirmative Action Task Force. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino

Noes: None

ZONING HEARING

Mayor McClellan opened the zoning hearing scheduled for 3:30 p.m. Pursuant to published notice thereof, the following zoning case was publicly heard:

THOMAS C. MOORE	813 Shady Lane, also	From "A" Residence
AND JOE LINDA MOORE	bounded by Glissman	1st Height and Area
By Terry Moore	Road	To "D" Industrial
C14-80-037		1st Height and Area
		NOT Recommended by the
		Planning Commission

Mr. Lillie, Director of Planning, reviewed the application by use of slides and said there is a valid petition against the zoning change. JOYCE NELSON, selling agent, presented her appeal stating the land will be used for an industrial park. TERRY MOORE, representing her father, asked Council for "C" Commercial zoning with a Special Permit. After some discussion it was decided to send the case back to the Planning Commission. MRS. GONZALES, a resident whose land is back of the property, appeared to say she does not want the fumes from an industrial park going into her house.

Councilmember Himmelblau moved that the Council send the zoning case back to the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmember Snell, Mayor McClellan
Noes: Councilmember Trevino

The Mayor announced that the zoning case had been sent back to the Planning Commission.

NO ACTION TAKEN

Reverend H. C. Burdett requested permission to place a tent at Oak Springdale Road (Givens Park Area) for citywide revival from May 9, 1980 through June 9, 1980. Mr. Roy Guerrero appeared before Council to state the staff recommends against this. Council took no action on request.

FAJITA COOK-OFF

Councilmember Trevino moved that the Council approve the request of MR. DAVID CALVILLO, President, Greater Southwest Optimist Club, requesting the use of Auditorium Shores on June 29, 1980 for 1st Annual Fajita Cook-off and permission to sell beer at event. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke

Noes: None

PARADE PERMIT

Councilmember Trevino moved that the Council approve the request for a Parade Permit from MS. JO LYNN HOFFMAN for Laguna Gloria Art Museum, from 8:30 a.m. to 10:30 a.m., May 18, 1980, beginning east on 35th Street to Pecos, south on Pecos to Enfield, west on Enfield to Scenic Drive, north on Scenic Drive (via Kennelwood) to Pecos, west on 35th, around Foothill Terrace to 35th Street. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke

Noes: None

REQUEST FOR WATER BY DEVELOPER

MR. JIM VOIGHT, attorney for Anderson Mill Estates, appeared before Council requesting them to approve the delivery of water by the Northwest Travis County Municipal Utility District No. 2 to Anderson Mill Estates Development. He passed out a map to Council explaining that their request is to hook up one foot of Anderson line to the MUD line.

Councilmember Himmelblau told him Council can take no action tonight, and it would be dangerous to meter water through the MUD in Northwest B where we are having trouble.

Mr. Bulloch, Director, Water and Wastewater, said this is around 620 and 183 at the far tip of our service area. "Although we have made some commitments to the developer in the last 2 or 3 years that we would be able to service him,

one point I want to make that specifically regards to us allowing them to tap back into the MUD. I checked that this afternoon and that was done only to wet test those lines to make sure they were sound from an installation standpoint. It was not any approval from the Water and Wastewater Department for them to receive service through the MUD. I want to clarify that point which was raised in my office about 11:00 this morning, which I did not have an answer for. There was no implication of us approving service to the back end of the MUD. There have been discussions with Water and Wastewater the past three or four years about this. There have been options available to the developer, including, as approved by subdivision plat, using wells. I've been trying to find out whether or not we really made a commitment...an implied commitment to serve the back end although that's been the last discussion we've had with Mr. Means and his staff is that we would allow them to go ahead and submeter off the back. This came to my attention last week by the letter. I just don't think that approach is in the best interest of the City of Austin."

Councilmember Himmelblau said, "We've talked over the five years I have been here about sub-metering and I am very much opposed to it and could never support it." Councilmember Cooke stated, "I think the expansion of the MUD got a great deal of discussion by the Council and there was a great deal of concern about whether we were even going to expand this MUD and I have real problems about the request. ... Expanding service through a MUD and expanding a MUD. There are two or three MUD's out there that would like to have expanded areas. I think the MUD that goes along Spicewood Springs is closer to the city and they wanted to have a lift station and tap into the Jollyville Reservoir. They would have to go across people's property and as a result those people wanted service, which would mean they would either have to annex them or we have to give service and I really have problems if we go through a deliberative process of approving a MUD, of starting to expand those MUD's or provide service to the other territory or other property outside of those MUD's."

Mr. Bulloch said, "The subdivision plat was approved in 1976 with the ability to serve the lots with septic tank and wells. That's why we are in the situation we are because there has been no reason for them not to get final approval as far as getting water service from the City available to sell those houses. That's why they are able to sell the houses, because the plat requirement was only for wells, not to be hooked up to some other water supply, whether it be City, MUD, Williamson County or whatever. That's been something that has been creating a problem that I'm concerned about because we do have some people out there and the alternative they have is to drill wells which is approved by subdivision plat." Mr. Voight said the alternatives available to the development were abandoned when dealing with the Water and Wastewater Department. We had their understanding and their agreement that we could tie on to this line."

Mayor McClellan asked, "Mr. Bulloch, have you been trying to check and see if that agreement was...are you still checking on that?" Councilmember Himmelblau pointed out the decision would be Council policy. Mayor McClellan reiterated she wants clarification. Mr. Bulloch told them the discussions in the Water and Wastewater have been "these are the options you have subject to Council approval, no one has guaranteed them service. I guess the issue we are hinging on is whether they were really led to believe we would, as a department, approve service prior to them coming to this body, and I can't answer that question. I don't think it was. They've gone through 4 or 5 different options."

All the different options they've looked at have been based on financial trade-offs and I don't blame them, they were looking for the most cost effective option to serve 21 lots. And the approach main is very expensive for 21 lots. As far as us making a commitment to them I don't think it was, although they were looking at many options all the way along."

Mr. Voight said he is not arguing a commitment and does not want Council to think there is some sort of a contractual arrangement with dealing with Water and Wastewater Department. He said they were not told that in principle this kind of hook-up was objectionable. "We were told quite the contrary that this could be done and that is why we constructed the line. Our only argument is that when your own agency appears by its conduct to authorize our building of that line, by authorizing our hook-up and saying it's an okay hook-up, for whatever reasons. When they do that we don't feel you are bound but we feel in principle we think this is okay and now we are told in principle that it cannot be done. I wish the Council would take under consideration the fact they have been dealing with us with one set of principles and now they are dealing with another set of principles, good or bad."

Councilmember Cooke pointed out that this Council has taken a very cautious stand against even expanding MUD's and "I don't feel compelled to say you were working under one set of principles when I think we have been vocal enough in the past to give the public and City departments notice that we have strong reservations about expanding or providing services through a MUD like this."

Council took no action.

HYDE PARK CRAFTS AND TREASURES FAIR

Councilmember Cooke moved that the Council approve the request of MR. JOHN B. SANFORD, President, Hyde Park Neighborhood Association, for permission to sell food at Shipe Park for the Hyde Park Crafts & Treasures Fair on May 10, 1980. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman
Noes: None

MODEL SOLAR ENERGY PROJECT

Councilmember Cooke moved that the Council approve the request of MS. GAIL VITTORI for a letter of support from Council to continue a grant program for a Model Solar Energy Project. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau
Noes: None

MEALS ON WHEELS

Councilmember Trevino moved that the Council approve the request of MS. RINI BAKER, for permission to use Auditorium Shores and parking lot on May 31, 1980 for sound amplification, skate rental booth on 11th and Congress, and banner to be hung at Auditorium Shores for Meals on Wheels. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers
Cooke, Goodman, Himmelblau, Mayor Pro Tem Mullen
Noes: None

AMENDMENT TO ZONING ORDINANCE - DENIED

Council had before it for consideration an ordinance amending the Austin City Code of 1967 (Zoning Ordinance) to cover the following change:

TOM W. BRADFELD	2099-1101 Loop 1	From Interim "A" to "0"
DONALD H CUMMINS	(MoPac Blvd.)	1st H&A
& ROBERT MUELLER, JR.	1398-1200 Loop 1	Tract 4 only
C14-78-105	1213-1209 Loop 1 & 702-708 Columbus Dr, tract 4 only	

Mayor McClellan reminded Council they had discussed this case last week and conditions have not been met. Mayor Pro Tem Mullen asked, "Is there no way we can come to an agreement on modifying that strip?" Mr. John Meinrath, representing the applicant, said "Last week you asked if the applicants could agree to live with the proposition of applying the Barton Creek Watershed development limitations on this 100' strip which has been the subject to debate for several weeks. Since that time we've picked up a copy of the ordinance which was not available at last weeks Council Meeting. We reviewed it with the client and they cannot agree to those development limitations because: (1) This property is a part of a subdivision which has already received preliminary approval by the Planning Commission; under grandfather clause in the ordinance it is exempt. They have provided that any portion of drainage from this strip will flow back into the Dry Creek Watershed and would flow from there to Lake Austin. And finally, the alternative development limitations the applicant has agreed to are the ones they feel are the maximum development restrictions which they feel can be imposed on the tract in order for it to retain any reasonable economic value and that is their sincere belief." He then reviewed their alternatives as proposed at last week's meeting.

Motion to Approve - Denied

Councilmember Goodman moved that the Council approve the zoning change as requested. The motion, seconded by Councilmember Cooke, failed to carry by the following vote:

Ayes: None
Noes: Councilmember Trevino, Mayor McClellan, Councilmembers
Cooke, Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmember Snell

MORATORIUM ON RAINEY STREET

Council had before them for consideration a temporary 180-day moratorium on Rainey Street.

AUSTIN BOYD, one of the owners of 80 Red River Street, appeared before Council to state he believes they are the main point of the opposition because of the development they want to do. He said they remove their opposition to the moratorium for 6 months and hope the study will be complete by then. Mr. Boyd told Council that they are still willing to talk to the neighborhood. Mayor McClellan thanked Mr. Boyd and his group for their cooperation.

Mayor Pro Tem Mullen said, "I just want to make sure we don't keep coming back on this one with an extension and an extension...I think we really need to get with it and get the program done, whatever it is, right or wrong and then not try to extend this for another six months afterward." Council then discussed which department will participate in the study during the moratorium and Mayor Pro Tem Mullen asked for a check point in 120 days to see how things are progressing.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ESTABLISHING A TEMPORARY 180 DAY MORATORIUM ON 1) THE ISSUANCE OF BUILDING PERMITS FOR NEW CONSTRUCTION OTHER THAN DETACHED SINGLE FAMILY RESIDENCES AND 2) THE PROCESSING OF SPECIAL PERMIT APPLICATIONS IN THE RAINEY STREET NEIGHBORHOOD AREA; (3) THE PROCESSING OF ZONING CHANGE APPLICATIONS, AND (4) THE PROCESSING OF SUBDIVISION PLAT APPLICATIONS BEYOND BEING ACCEPTED FOR FILING AND DISAPPROVED BY THE PLANNING COMMISSION; DEFINING THE BOUNDARIES OF THE RAINEY STREET NEIGHBORHOOD AREA; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino
Noes: None

The Mayor announced that the ordinance had been finally passed.

AGENDA ITEM POSTPONED

Councilmember Trevino moved that the Council postpone until June 12, 1980 consideration of the following items relating to the creation of the Austin Industrial Development Corporation:

1. Authorizing the incorporation of an Industrial Development Corporation.
2. Approving the form of the article of incorporation to be used in organizing the Industrial Development Corporation.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

RECESS

Council recessed its meeting at 5:50 p.m. and resumed its recessed meeting at 6:25 p.m.

PUBLIC HEARING - CDBG APPLICATIONS

Mayor McClellan opened the public hearing scheduled for 6:00 p.m. to obtain citizens' views on the proposed CDBG applications.

Carlos Herrera, Director of Human Services, reported to Council, "Last week we transmitted to you recommendations for the six year Community Development Block Grant (CDBG). That transmittal included the sub-committee recommendations, the Community Development Commission's recommendations and the Planning Commission's recommendations, along with the City Manager's recommendations. In the Manager's recommendations we have projected a basic package including the projected amount of allocation for the City of Austin of approximately \$5.8-million. That is distinguished from the other recommendations which incorporated into the total amount dollars some anticipated contingency monies that were there. We recommend Council consider adopting a plan that would only include those dollars that will be available next year. The staff emphasizes, along with housing and neighborhood development, the continuation of the housing rehabilitation conducted by A.R.A. as well as those operated by the Austin Area Urban League and Austin Tenant's Council. The provision is also made to continue the architectural barrier removal program and to begin preparations for expanding the corridors program into the South Austin area.

"Two new programs are being recommended by the Manager for your consideration. One is the proposal from the Citizen's National Bank which would provide for a public/private partnership in neighborhood revitalization which would match CDBG dollars with private investment dollars on a 4-1 match funds. We are also recommending partial funding for this program from next year's plan and hope to bring before you on the 22nd, which is the date anticipated for final action, a re-programming package which would also include an allocation for this project. The remainder of the requests are being prepared to be brought to you in two weeks. Another new suggestion is the assistance in selecting new areas for public housing which would be compatible with Council policy as contained in the housing assistance plan."

ELLIOTT NAISHTAT, Chairman, Austin's Community Development Commission, appeared before Council to say they should look closely at the track records of organizations when they are requesting funds in future years and listed policy guidelines.

SUZIE LINDENMAN, Director of Family Development, Huston-Tillotson College, said there is a big need for children and child care activities. Her department has programs for family life education development which helps people plan to get off welfare. The program focuses more on programmatic development as an alternative to building a building. She concluded by passing out a petition from students. Councilmember Himmelblau told her Council has not received their budget with a staff break-down. Ms. Lindenman said it will be submitted soon.

JUNE BREWER, Learning Skills Center, Huston-Tillotson College told Council their facility is equipped to have continuing education for parents.

DR. ROSALIE WINGATE, who teaches social work at Huston-Tillotson College, told Council that at the Center they work with the parent/child relationship.

TERRI GILLIS, Director of Austin Families, Inc., told Council they have a child care switchboard which is of great help to the community.

JIM CANNON, President of MIGHT (Mobility Impaired Grappling Hurdles Together), and Chairman of the board of ARSOL, said his proposal has resolved its eligibility problems with HUD (Housing and Urban Development) and the City staff and they have sent a revision of their proposal to address the neighborhood strategy area as required by HUD regulations. This will limit the broad scope of that which they wish to accomplish, but will still be serving more than 3,000 disabled people in the neighborhood strategy area.

DAVID AUSTIN, member of the faculty of School of Social Work, University of Texas, spoke in support of the proposal of the Family Life Education Center at Huston-Tillotson College.

VIRGINIA DINAN, President, Austin Board of Realtors, spoke in support of the program proposed by the Citizen's National Bank.

JIM BOWMAN spoke in support of the program proposed by the Citizen's National Bank.

MS. SHERYL MINER, Vice-President, Citizen's National Bank, described the plan her bank has to help upgrade Hyde Park, St. John, Ridgetop, Georgian Acres and Cameron Village in Austin. She told Council their request is for \$1.250-million and they will commit \$4-million of their lendable funds to match and asks Council's approval without restrictions. She said their contract is acceptable to HUD.

DAN CARTER, who spoke for Family Life Learning Center at Huston-Tillotson College, said this is a unique plan and asks for Council support.

JOHN SANFORD, President, Hyde Park Neighborhood Association, spoke in favor of the Citizen's National Bank request for funding.

SAM ROBERTS, representing Joint Urban Assistance, spoke in favor of the program. He is a carpenter who supervises the work which is done.

SANDY PEAK, housing counselor, said she works with homeowners before, during and after remodeling and conducts a homeowner training class in the care of their homes. She said they need funds for another counselor. They work with 30-40 families a month with two counselors. They would like to be able to cover all of Austin and not just east Austin.

MILDRED SNEAD, Chairperson, National Business League, asked for second year funding to continue their work.

CURTIS C. CARTER, minister and student, spoke in favor of the Family Life Center.

CLYDE McQUEEN, President, Cen-Tex Chapter, Austin Business League, appeared before Council to ask their approval for second year funding.

BETTY PHILLIPS is moving to 4002 Avenue H in Hyde Park and spoke in favor of the bank loan program. She is in favor of banks helping people.

MELVIN FLOWERS appeared to request funds for the rehabilitation of various projects.

Sarah Carter Campbell said there is a gap in energy expertise and wants a staff who will do neighborhood surveys. Her organization needs \$70,000 so people can do their own energy audit. She said they will also conduct classes and among other things, can teach people how to make solar water heaters.

PATTY GRISWOLD, Delwood II Neighborhood Association, spoke in favor of bank assistance.

JAMES MITCHELL, AHA, spoke in favor of the City Manager's recommendation for \$188,000 for public housing sites.

BROOKS ALEXANDER, President, University Hills Neighborhood Association, supports Citizen's National Bank's request for CDBG funding.

PAULINE BROWN, President, Clarksville Community Development Corporation, thanked the Council for selling City-owned land back to Clarksville and asked for funds to buy land to build homes on.

RAVINIA JACKSON, Austin Area Urban League, spoke in favor of assistance for homeowners.

JIMMY WILLIAMS, Chairman, St. John's Neighborhood Association, spoke in support of the proposal of Citizen's National Bank.

CHUCK WATTLES, Austin Tenants Council, asked for one more staff person in 1981. He said rental repair is a large job.

PATTY ANDERSON, Director of United Cerebral Palsy, asked for 2nd year CDBG funds in the amount of \$40,000 for use in their architectural barrier removal program.

JIM GOBEN, Administrative Director of Bryant House, said this is a half-way house for young men. Thier house is an old funeral home and they need a more appropriate facility for the men.

BARBARA EIBAR, placement officer, Juvenile Court, spoke in favor of help for Bryant House.

JOHN YEAMAN, member of the Community Development Commission, wants the Citizen's National Bank to be serious in what they do.

LARRY WATERHOUSE, Executive Director of Middle Earth, asked for a permanent headquarters for them

DAVID GRAY showed Council a map of the Heritage area and said they need help. Mayor McClellan told him the Human Service staff will look into it.

MITCH WYNAN appeared and asked for a permanent facility for Middle Earth.

Motion

Councilmember Himmelblau moved that the Council close the public hearing on obtaining citizens' views on the proposed CDBG applications, and schedule this on the May 22, 1980 Agenda for action. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke
Noes: None

PUBLIC HEARING - USE DISTRICT FOR CONDOMINIUMS

Mayor McClellan opened the public hearing scheduled for 7:00 p.m. to amend the Zoning Ordinance to establish a new Use District for Condominiums. Mr. Lillie reported as follows: "The city is changing a good deal and the cost of development, the density of development, the location and type of development that is occuring is rapidly changing as time goes by. I think it important that City ordinances be flexible enough to respond to changes in the market. Our current City Zoning Ordinance is very old and the residential usage within the Ordinance under the "A" Residence District we have a general density of about 3 to 4 units per acre for single-family detached housing. When we move to the "BB" zoning district it permits density up to 20 units per acre or more. The Commission has responded to that kind of a problem, that is trying to introduce within the "A" and in relationship to the "A" and "BB" district, a use district that is about half-way between the permissive density of about 10 or 11 units per acre. The "A-2" district would permit cluster development on single tracts of land up to about 10-11 units per acre.

"The Commission felt, and I think we feel that the city has a lot of land within the corporate limits that's been bypassed for one reason or another and this ordinance will permit some incentive for developers to come back into the center city and develop land which already has the streets and utilities,

fire protection and police protection, rather than build on the edge of the community and sometimes outside the city limits. The proposal would insert within the existing zoning ordinance a use district called "A-2 Condominium Residential." The definition being a real estate plan or project whereby four or more dwelling units in existing or proposed buildings or structures are offered or proposed to be offered for sale to separate owners of single units and structures of multiple units structures common elements. That is, single-family structures attached or detached on a single tract of land. The existing ordinance requires that when you do that, you have to go to apartment zoning and what has happened in many instances is that while a project is good, the Commission or Council has been reluctant to change the zoning to apartment zoning. So this district would require a change in zoning from "A" to "A-2". It requires a minimum of 14,000 square feet with 3500 square feet per unit which is a minimum of 4 units.

"The state Condominium Act relates or deals with 4 units or more. It requires no structure be over 35 feet in height, which is 1st Height and Area use district. It provides for certain building setbacks, but allows that the Planning Commission can reduce the setbacks if it does not negatively impact land usage on the opposite side of the street or land usage adjacent. It uses the same off-street parking requirements that are in the current ordinance but provides that no off-street parking can be in that front building setback area. It must be a landscaped or yard area for parking. It provides for a site plan, not a Special Permit, but a site plan, giving the Commission and the Council more authority or more leverage over what that site plan includes. The site plan must be approved by both the Commission and the Council and any development that occurs must be compatible with the Condominium Statute of the State of Texas. We felt the Homebuilders' Association should be a part of the review of this ordinance so we shared preliminary drafts with them and we also have a letter from the Homebuilders' Association in support of this ordinance. The Planning Commission held public hearings on the issue with several architects and home builders in attendance. The ordinance was submitted to neighborhood associations prior to the public hearing by the Planning Commission and prior to this public hearing. It is recommended for your consideration."

KATHLEEN GUIDO, 1002 Elm Street, down the street from Mr. Barnstone's proposed development. "On the whole our neighborhood is very pleased with the "A-2" classification and we'd like to see it passed. After the Planning Commission hearing it was brought to our attention that the way the ordinance is written the site plan is not required for the zoning change, only for the building permit. I think that must be an oversight. It is our impression from Planning Commission hearings that they would see the site plan before they would make the change." She felt a site plan should be reviewed by the Planning Commission.

Motion

Councilmember Cooke moved that the Council have the site plan reviewed by the Planning Commission before making a zoning change. The motion was seconded by Mayor Pro Tem Mullen.

Councilmember Goodman said a positive effect of that would be there will be no speculative zoning.

JOHN VAN WINKLE appeared before Council and said he supports the zoning use but wanted to make a personal point. He said, "I feel by placing any type of density or area requirement on this type of ordinance it immediately places a value on the land and we are trying to come into residential areas that have unique sites, and I think the area ought to dictate the density by filing Special Permit procedures and site plan review, which I support. I think the Planning Commission and Council should have that initiative to examine the developer's proposal and the neighborhood's comments and set the density as it is deemed appropriate for that particular site.

"The other change I would like to see is not allowing the 25-foot setback to be developed as parking, or, and I am making an assumption that that was probably aimed at impervious cover for aesthetic reasoning. I would assume that would be dealt with on the site plan. Because of waterway requirements, I think that automatically limits the designers ability to deal with the thing." He finished his comments by saying the site plan review by the Commission and Council is all that is needed. He said there should be "A-2" zoning with site plan review without any density restrictions.

Mr. Lillie said he thinks the 3500 square feet is consistent with what is already on the books and it provides a density which is workable. If the Commission finds it is a problem, they can amend it later. ... Mr. Lillie said this ordinance does not effect conversions of apartments to condominiums and does not effect any use district "BB" or more. It only deals with condominiums in residential areas.

Substitute Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE (ZONING ORDINANCE); PROVIDING FOR THE ADDITION OF A NEW USE DISTRICT, "A-2" CONDOMINIUM RESIDENCE USE DISTRICT; PROVIDING THAT NO BUILDING OR LAND IN AN "A-2" CONDOMINIUM RESIDENCE USE DISTRICT SHALL BE ERECTED, STRUCTURALLY ALTERED, OR USED EXCEPT FOR THE USE OF CONDOMINIUMS UNDER CERTAIN CONDITIONS AND EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER; PROVIDING CERTAIN REQUIREMENTS AND CONDITIONS FOR THE USE OF LAND AND BUILDINGS AS CONDOMINIUMS; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance (site plan to be reviewed by Planning Commission before approving zoning change). The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman
Noes: None

The Mayor announced that the ordinance had been finally passed.

CHANGE ORDER

Councilmember Himmelblau moved that the Council adopt a resolution to approve a Change Order in the amount of \$7,843.00 to Panhandle Construction Company for Clarksville Area Improvements Project, Phase I, CAPITAL IMPROVEMENTS PROGRAM No. 77/50-20. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau
Noes: None

Prior to the vote, Councilmember Himmelblau commented the change orders are for better than 50% of the original contract and when this happens, "it bothers me because it doesn't create much faith in some of the low bids that come in."

Councilmember Cooke asked if Council could receive a report on it. He said the question then comes to mind, how much higher does this become than the next to the lowest bid which was originally made.

Mr. Daron Butler, Assistant City Manager, told Council, "Basically what happened, we went into an area where we knew very little of what was going to be underneath the ground when we started. The size of this does raise questions about it, but each bidder submitted his bid based on design specifications and criteria we gave him. Because of the age of the area we gave them inadequate data when we went in and that is why the cost difference. Hopefully, we have learned from this experience in working in an area like Clarksville that we will make some sort of an adjustment when we go into an area with an old water and sewer system or without a sewer system." Councilmember Himmelblau said it certainly impacts the CIP (Capital Improvements Program) as far as budgeting is concerned.

CONTRACT APPROVED

Councilmember Snell moved that the Council adopt a resolution to approve the following contract:

AUSTIN ROAD COMPANY
428 East Anderson Lane
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM
C.D.D. No. 18 Sidewalk Program
HCD Phase I - \$210,492.00
C.I.P. No. 78/62-21

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem Mullen
Noes: None

Councilmember Snell asked, "In the interest of other sidewalk programs that come up, I was just wondering if they could be broken down into smaller bids where some of the minority contractors could take advantage of them." Mr. Butler told him he would see the first one coming up on that basis next week.

May 8, 1980

PUBLIC DOCUMENT DISTRIBUTION POLICY

Council had before it the approval of the Public Document Distribution Policy.

Councilmember Himmelblau said she wanted a fiscal note. Mayor McClellan told her, "There is no way you can have a fiscal note if we don't know how many people are going to request things from individual departments. ... I think we can keep careful records for a few months." Councilmember Himmelblau said she is more concerned with the large documents like the budget and CIP. Mayor McClellan told her they will be printed on very cheap paper. The Mayor continued, "And on the others, we would ask each department to keep a record of what they are giving out for 60 days and also keep a record of those they have turned down because we are leaving to the discretion of each department what a reasonable request was....at the end of 60 days we can have at budget time a clear understanding or at least an average understanding of what it is costing us."

Councilmember Himmelblau said she wants a budget and CIP document printed on paper that will stand up to usage for members of the Council.

Lee Thomson told Council she had not envisioned printing the Charter volume on newsprint, but looking at the bond paper and cover material used to see if there are some ways the cost can be minimized by using every page in the document, etc.

Councilmember Goodman moved that the Council adopt a resolution to approve the Public Document Distribution Policy. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Snell, Trevino

Noes: Mayor Pro Tem Mullen

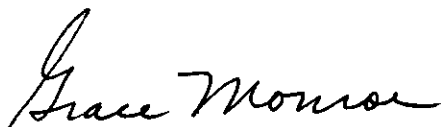
ADJOURNMENT

Council adjourned its meeting at 8:45 p.m.

APPROVED


Mayor

ATTEST:



City Clerk